
2003 Wis Eth Bd 10
IMPROPER USE OF OFFICE; LOBBYING LAW

The Ethics Board advises that neither a state public official's acceptance of cards for distribution to the public that provide health care information nor the company's furnishing them to the state of Wisconsin will violate Wisconsin's Ethics Code for state officials. This transaction will not subject the company to Wisconsin's lobbying law or otherwise be considered a lobbying expense.

Facts

¶1 A company has offered to provide your office with a quantity of cards for distribution to the public that provides information about certain health care issues.

Advice

¶2 Neither your office's acceptance of the cards nor the company's furnishing them to the state of Wisconsin will violate Wisconsin's Ethics Code for state officials. This transaction will not subject the company to Wisconsin's lobbying law or otherwise be considered a lobbying expense.

¶3 Please take into account that §11.33, *Wisconsin Statutes*, prohibits an elected state official to use public funds to distribute 50 or more pieces of substantially identical material after June 1 in the year of an official's candidacy for election. The Wisconsin Elections Board is responsible for administration of that statute and campaign finance laws. You should direct questions about those statutes to that agency.

¶4 We note that Wisconsin's Department of Health and Family Services currently provides for the dissemination of similar information. Whether your office's sending the information, either instead of or in addition to the Department's current effort, is a desirable and worthwhile expenditure is a matter for your judgment and determination, not a matter to which Wisconsin's Ethics Code or lobbying laws directs an answer.